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10/689,000

10/21/2003

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4369

28481 7590 06/22/2010  
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EXAMINER

MOORTHY, ARAVIND K

ART UNIT

PAPER NUMBER

2431

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/689,000	<b>Applicant(s)</b> SHACHAR ET AL.	
	<b>Examiner</b> ARAVIND K. MOORTHY	<b>Art Unit</b> 2431	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 April 2010.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) 43-60 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7, 10-24 and 26-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

1. This is in response to the appeal brief filed on 8 April 2010.
2. Claims 1-7, 10-24 and 26-42 are pending in the application.
3. Claims 1-7, 10-24 and 26-42 have been rejected.
4. Claims 8, 9 and 25 have been cancelled.
5. Claims 43-60 are non-elected claims.

***Response to Arguments***

6. In view of the appeal brief filed on 8 April 2010, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

/William R. Korzuch/  
Supervisory Patent Examiner, Art Unit 2431.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-7, 10, 14-16, 19-21, 23, 24, 26, 27 and 30-39 are rejected under 35 U.S.C. 102(e) as being anticipated by D'Amico US 2003/0071724 A1.

As to claim 1, D'Amico discloses a method comprising:

collecting security data (i.e. alarm conditions) [0020];

providing the security data to a first security station (i.e. The security company 84 has an alarm receiver 86 that processes alarm signals, status information, and other communications regarding the security system 10 that are sent to and from the house 68 via the external network 98) [0036];

selecting at least a second security station (i.e. security system at the home) [0038];

providing the security data to the at least second security station so that the first security station and the at least second security station have concurrent access to the security data (i.e. The security company 84 has an alarm receiver 86 that processes alarm signals, status information, and other communications regarding the security system 10 that are sent to and from the house 68 via the external network 98) [0036];

opening a bidirectional communication link between the first security station and the at least second security station, and wherein the bidirectional communication facilitates communication between a operators of the first and second security stations (i.e. data is transmitted to and from the security company and the home) [0036].

As to claim 2, D'Amico discloses that the providing the security data to the at least second security station comprises transmitting the security data over an electronic network (i.e. security system 10 in a home 68 can be connected to an external network 98, including a connection to the Internet 74 and to the security company 84) [0029].

As to claim 3, D'Amico discloses using a controller operably connected to the first security station to direct the security data to the at least second security station (i.e. The security company 84 has an alarm receiver 86 that processes alarm signals, status information, and other communications regarding the security system 10 that are sent to and from the house 68 via the external network 98) [0036].

As to claims 4 and 34, D'Amico discloses that the selecting the at least second security station is based on pre-defined criteria (i.e. The homeowner can have the option of selecting specific homeowners with whom to share security system information or to notify in the vent of an alarm condition.) [0061].

As to claim 5, D'Amico discloses that the predefined criteria includes the availability of an operator at the at least second security station (i.e. if the homeowner wants their information to be public) [0061].

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As to claim 6, D'Amico discloses that the predefined criteria comprises an expertise of an operator of the at least second security station [0037].

As to claim 7, D'Amico discloses that providing the communication link between the at least first security station and the at least second security station comprises providing a graphical overlay on images in the collected security data (i.e. graphical image) [0054].

As to claim 10, D'Amico discloses controlling security data collection equipment from the at least second security station (i.e. remotely verify or change alarm settings or to arm/disarm the security system) [0038].

As to claims 14 and 31, D'Amico discloses that the collecting security data comprises collecting fire detection data from a sensor [0045].

As to claims 15 and 26, D'Amico discloses that the opening a communication link includes opening a communication link over an electronic network (i.e. security system 10 in a home 68 can be connected to an external network 98, including a connection to the Internet 74 and to the security company 84) [0029].

As to claims 16 and 27, D'Amico discloses that providing the security data to the at least second security station, comprises providing the security data to the at least second security station over an electronic network using an internet protocol (i.e. HTTP, SMTP or TCP/IP [0019].

As to claim 19, D'Amico discloses that selecting at least a second security station, comprises selecting at least a second security station located remotely from the first security station (i.e. The security company 84 has an alarm receiver 86 that processes alarm signals,

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status information, and other communications regarding the security system 10 that are sent to and from the house 68 via the external network 98) [0036].

As to claim 20, D'Amico discloses that collecting security data comprises collecting security data with equipment controlled from the first security station (i.e. sensors/transmitters) [0021].

As to claim 21, D'Amico discloses that the opening a communication link between the first security station and the at least second security station, comprises opening a bi-directional data transfer link (i.e. data is transmitted to and from the security company and the home) [0036].

As to claim 23, D'Amico discloses a system comprising:

- a security data collection unit (i.e. alarm conditions) [0020];

- a first viewing unit to display the collected security data (i.e. to the security company) [0042];

- a second viewing unit to display the collected security data concurrently with the display on the first viewing unit (i.e. at the PC of the homeowner) [0046];

- a controller to selectively direct collected security data to the second viewing unit, and a bidirectional communication link between facilitating communication between viewers at the first and second viewing units (i.e. data is transmitted to and from the security company and the home) [0036].

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As to claim 24, D'Amico discloses that the controller selectively directs the collected security data to the second viewing unit upon a signal of a viewer of the first viewing unit (i.e. alarm signal) [0027].

As to claim 30, D'Amico discloses that the first viewing unit is located remotely from the second viewing unit (i.e. security company and homeowners are separate) [0038].

As to claim 33, D'Amico discloses a security data collection unit controller operably connected to the second viewing unit (i.e. security system 10 in a home 68 can be connected to an external network 98, including a connection to the Internet 74 and to the security company 84) [0029].

As to claim 35, D'Amico discloses that the pre-defined criteria comprises an availability of an operator of the second viewing unit (i.e. if the homeowner wants their information to be public) [0061].

As to claim 36, D'Amico discloses that the pre-defined criteria comprises an expertise of an operator of the second viewing unit [0037].

As to claim 37, D'Amico discloses a communication unit enabling an operator of the second viewing unit to communicate with a subject of the collected security data (i.e. The alarm module can trigger the PC to play a siren) [0027].

As to claim 38, D'Amico discloses that the collected security data includes data added by an operator of the first viewing unit (i.e. security data can be updated manually by the security company) [0037].



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As to claim 39, D'Amico discloses a first security data collection unit controller operably connected to the first viewing unit, and a second security data collection unit operably connected to the second viewing unit (i.e. the home and security company) [0036].

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 11, 13, 40 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Amico US 2003/0071724 A1 as applied to claim 1 above, and further in view of O'Hara US 2003/0058084 A1.

As to claims 11, 13, 40 and 41, D'Amico discloses the at least second security station, as discussed above.

D'Amico does not teach that controlling security data collection equipment comprises controlling at least one biometric sensor from the at least one of the security stations.

O'Hara teaches a biometric characteristic airport security system 100. The system 100 is comprised of a check-in terminal 102 (also considered to be a ticketing terminal) and a gate terminal 104 that communicate with each other through a data network 106. The data network 106 to which the check-in terminal and the gate terminal 104 are coupled enables the ticketing terminal 102 and the gate terminal 104 to share data with each other as well as a server 108, which among other things functions as a repository of data collected and processed as described

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hereinafter and which is embodied as one or more computers and associated storage devices, known to those of ordinary skill in the art [0016].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified D'Amico so that one of the security stations would have been a biometric sensor.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified D'Amico by the teaching of O'Hara because it allows for a record to be generated of a person that can now be compared against a database of terrorist/criminal/most wanted/etc. [0002].

9. Claims 12 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Amico US 2003/0071724 A1 as applied to claims 1 and 23 above, and further in view of Modica et al US 2003/0023592 A1 (hereinafter Modica).

As to claims 12 and 32, D'Amico discloses the at least second security station, as discussed above.

D'Amico does not teach that the collecting security data comprises collecting security data from a baggage x-ray machine operated by an individual.

Modica teaches an x-ray screening system 102 containing a video monitor 104 that displays x-ray images of objects 108 to an operator 106. Certain elements in FIG. 2 are generally similar to elements in FIG. 1 but may be referenced by different numerals. Typically, objects 108 pass through system 102 on a conveyor 110. As discussed below, the current invention involves various databases for providing, storing and transmitting information. Existing types of databases

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and means for providing communication between such databases may be used with the invention [0031].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified D'Amico so that one of the security stations would have been an x-ray machine that would have had means for providing, storing and transmitting information.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified D'Amico by the teaching of Modica because it provides a means to track the types of threats a system operator has seen and detected, as well as the difficulty of the threats the operator has seen [0016].

10. Claims 17, 18, 28 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Amico US 2003/0071724 A1 as applied to claims 1 and 23 above, and further in view of Sullivan U.S. Patent No. 7,015,945 B1.

As to claims 17, 18, 28 and 29, D'Amico discloses opening a communication link between the first security station and the at least second security station, as discussed above.

D'Amico does not teach opening a videoconference link between the first security station and the at least second security station.

Sullivan teaches that if controller 76 detects alarm condition 85 from alarm 83 at step 312, client 12 establishes communication with server 20 or optionally alarm monitoring station 28 at step 314. While client 12 maintains alarm condition 85, client 12 and server 20 or station 28 exchange data, video, and audio at step 316 to implement a one-way or two-way audio/video conferencing link for remote surveillance, management, or supervision. If alarm condition 85

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persists at step 318, client 12 and server 20 or station 28 continue to exchange data 82, video 72, and audio 74 at step 316. If alarm condition 85 is over at step 318 and the operation of client 12 is not done at step 320, the method returns to process the next financial transaction at step 300 [column 8, lines 4-16]. Sullivan suggests that a videoconferencing link that is based on an ITU.F323 protocol. Sullivan suggests that the videoconference link is based on a ITU.H323 protocol.

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified D'Amico so that the video surveillance would have included a one-way or two-way audio/video conferencing in the event an alarm condition is detected.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified D'Amico by the teaching of Sullivan because it provides real-time or near real-time alerts in the case an alarm condition is generated [column 3, lines 41-51].

11. Claims 22 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Amico US 2003/0071724 A1 as applied to claims 1 and 23 above, and further in view of Korosec US 2003/0056113 A1.

As to claims 22 and 42, D'Amico discloses collecting security data, as discussed above.

D'Amico does not teach that the collecting security data comprises calculating a height of a feature of a subject from an image of the subject

Korosec teaches measuring attributes such as DNA fingerprint and/or profile, ethnicity, citizenship, religious affiliation, political affiliation, biometric data, height, weight, health status

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(e.g., failure to have particular disease(s)), gender, registration status with Selective Service, history of conviction of felony and/or inclusion on list(s) of governmental agencies and/or private groups [0032].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified D'Amico so that biometric attributes would have been measure. Height of the individual would have been one of the attributes.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified D'Amico by the teaching of Korosec because it provides a device that facilitates identifying an individual to a regulated authorization system [0006].

### ***Conclusion***

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ARAVIND K. MOORTHY whose telephone number is (571)272-3793. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William R. Korzuch can be reached on 571-272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Aravind K Moorthy/  
Examiner, Art Unit 2431